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REF Leg

5 June 1989  
OCA 1814-89

MEMORANDUM FOR: Deputy Director for Administration  
Director of Security  
Director of Personnel  
Deputy General Counsel, Administrative Support

FROM:

Legislation Division  
Office of Congressional Affairs

STAT

SUBJECT: Proposed Cohen Amendment to FY90-91  
Intelligence Authorization Bill

1. We have learned that Senator Cohen is garnering support for the introduction of an amendment to the FY90-91 Intelligence Authorization Bill which would require the Agency to notify applicants, employees and contract employees of the reasons for denial of, or termination of, a security clearance. Notification would be in writing and would be excepted only for reasons of national security, as determined by the DCI or his designee. The DCI would also have to submit reports to the intelligence committees setting forth the number of cases in which no notice was given and the reasons why not. The language of the amendment is attached.

2. We are in the process of discussing what avenues to take with regard to this proposal. Because the Senate Intelligence Committee will begin marking up the bill early next week, we ask that you give us any comments you may have no later than 7 June 1989. You may relay your comments to me by telephone on

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Attachment

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31 May 1989  
OCA 1789-89

SENATOR COHEN'S PROPOSED AMENDMENT  
TO THE INTELLIGENCE AUTHORIZATION BILL FY 90-91

A. During fiscal years 1990 and 1991, no person who is an applicant for employment with or an employee or contractor employee of Central Intelligence Agency shall be denied a security clearance, or have such clearance terminated, without, at a minimum, being advised in writing of the reasons for the proposed action and given an opportunity to respond; unless the Director of Central Intelligence Agency, or his single designee, determined that such reason or reasons cannot be provided without endangering national security.

B. The Director of Central Intelligence Agency shall submit reports to the Select Committee on Intelligence of the Senate and to the Permanent Select Committee on Intelligence of the House of Representatives at the end of fiscal years 1990 and 1991, concerning the number of cases in which notice was not provided pursuant to subsection (a) of this section, and the reasons upon which such decisions were based.

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OCA/LEG, [redacted] (5 June 1989)

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